From: David Atkins
To: Microsoft ATR
Date: 1/21/02 10:43pm
Subject: Microsoft Settlement

Greetings,

First of all, let me say I am impressed with the depth and breadth of research you performed in compiling the Complaint document of 5/18/1998. I am a software engineer with 15 years experience, and fully understand the difficulty in describing computer terminology and functionality. Your descriptions were accurate, enlightening, and readable!

I must say I was extremely disappointed when the original final judgement, which included the breakup of Microsoft, was overturned. You seem to be very practical in working towards a resolution, knowing any other approach would result in protacted legal action. I wonder how Microsoft's behavior has compared to prior monopoly cases which resulted in company breakups, such as Standard Oil and AT&T?

However I have a concern with the proposed final judgement. I agree with the concept of the TC. You state the members have power to acquire and hire resources as necessary to verify compliance with the judgement. However, given the complexity and content of Microsoft software, is a 5 year compliance period long enough? Even relatively minor software projects with dedicated, experienced staffs, require months to complete. Perhaps 7 years would be more reasonable.   The TC will probably require 6 months to a year to get their feet on the ground. Then, given the size and complexity of Microsoft's code, will need to begin hiring resources for assistance. The resources will then need time to get up to speed. In a nutshell, the TC will probably start to do 'real' work about 18 months into the settlement. This also assumes the Microsoft appointed member of the committee is a legitimately objective member of the team, and not just a Microsoft defender.

Regards,

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